

YITAI HU (California Admission Pending) yhu@akingump.com  
SEAN DEBRUINE (SBN 168071) sdebruine@akingump.com  
SANG HUI MICHAEL KIM (SBN 203491) mkim@akingump.com  
HSIN-YI FENG (SBN 215152) cfeng@akingump.com

**AKIN GUMP STRAUSS HAUER & FELD LLP**

1950 University Avenue, Suite 505

East Palo Alto, CA 94303-2282

Telephone: 415-765-9500

Facsimile: 415-765-9501

Attorneys for Defendants

EPISTAR CORP. and UNITED EPITAXY CO., LTD.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

LUMILEDS LIGHTING U.S., LLC,

Plaintiff,

v.

EPISTAR CORP., and UNITED EPITAXY  
CO., LTD.,

Defendants.

Case No. C-05-04521 RMW

**DECLARATION OF HSIN-YI FENG IN  
SUPPORT OF DEFENDANTS EPISTAR  
CORP. AND UNITED EPITAXY CO.,  
LTD.'S MOTION FOR STAY PURSUANT  
TO 28 U.S.C. § 1659**

Date: February 3, 2006

Time: 9:00 a.m.

Courtroom: 6

Judge: Hon. Ronald M. Whyte

1 I, Hsin-Yi Feng, declare as follows :

2 1. I am an attorney with the firm of Akin Gump Strauss Hauer and Feld, LLP, counsel for  
3 Defendants Epistar Corp., ("Epistar") and United Epitaxy Co., Ltd. ("UEC") (collectively  
4 "Defendants") in this matter. I have personal knowledge of the following facts and, if called as a  
5 witness, am competent to testify to these facts.

6 2. Attached as Exhibit A is a true and correct copy of the complaint in this civil action  
7 filed by Plaintiff Lumileds Lighting U.S., LLC ("Lumileds") on November 4, 2005, alleging that  
8 Epistar infringes the U.S. Patent Nos. 5,376,580, and 5,502,316, and that UEC infringes U.S. Patent  
9 Nos. 5,008,718, 5,376,580, and 5,502,316.

10 3. Attached as Exhibit B is a true and correct copy of the Notice of Investigation issued on  
11 December 2, 2005, announcing the institution of the Inv. No. 337-TA-556, entitled *In the Matter of*  
12 *Certain High-Brightness Light Emitting Diodes and Products Containing Same*, pursuant to 19 U.S.C.  
13 § 1337. As set forth in that Notice, Epistar and UEC have been named as Respondents in that  
14 investigation. The issues to be determined in that investigation include Lumileds' allegations that  
15 Epistar infringes the U.S. Patent Nos. 5,376,580, and 5,502,316 and that UEC infringes U.S. Patent  
16 Nos. 5,008,718, 5,376,580, and 5,502,316, the same allegations at issue in this civil litigation.

17 I declare under penalty of perjury under the laws of California and the United States that the  
18 foregoing is true and correct.

19 Executed this 30th day of December in East Palo Alto, California.

20  
21 \_\_\_\_\_/s  
HSIN-YI FENG

22 I hereby attest, pursuant to section X of General Order 45, that concurrence in the filing of this  
23 document has been obtained from Hsin-Yi Feng, Esq., Attorney for Defendants Epistar Corp. and  
24 United Epitaxy Co., Ltd.  
25

26 Dated: December 30, 2005

27 \_\_\_\_\_/s  
SEAN DEBRUINE